IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8993 of 2005

Between:

P. Sidappa S/o. Basanth Rao
R/o. Ogipuru Village, Tandur Mandal, Ranga Reddy District.

..... PETITIONER

AND

1 The District Collector, Ranga Reddy .
2 The Revenue Divisional Officer, Vikarabad, Ranga Reddy District.
3 The Mandal Revenue Officer,Tandur Mandal Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus or any other appropriate writ or direction declaring the order of the 3rd respondent passed in proceedings No. B/251/2005 dt. 7-4-2005 as illegal, arbitrary and one without jurisdiction and pass such other or further orders as the Hon'ble Court feels deem fit and proper in the facts and circumstances of the case.

Counsel for the Petitioner: MR.O.MANOHER REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court, at the stage of admission, made the following :

ORDER:

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This writ petition is filed questioning the order dated 07.04.005 passed by the third respondent-Mandal Revenue Officer, Tandur Mandal, Ranga Reddy District. The said order was passed under the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfer) Act, 1977 (for short "the Act"), thereby resuming the land in S.No.129/4 admeasuring Ac.2.00 situated at Ogipuru village, Tanduru Mandal, Ranga Reddy District, from the petitioner on the ground that he has contravened Section 3(1) of the Act.

Though the learned counsel for the petitioner raised various contentions assailing the impugned order, I am not inclined to express any opinion on merits since admittedly against the impugned order an efficacious alternative remedy is available under the Act by way of appeal under Section 4(A) of the Act. Without exhausting the said remedy, the petitioner cannot maintain this writ petition.

Accordingly, the writ petition is disposed of granting leave and liberty to the petitioner to work out the alternative remedy available under the Act. However, having regard to the facts and circumstances of the case, there shall be a direction that the impugned order shall not be given effect to for a period of six weeks from

today. No costs.

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21.04.2005

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To

1 The District Collector, Ranga Reddy .
2 The Revenue Divisional Officer, Vikarabad, Ranga Reddy District.
3 The Mandal Revenue Officer,Tandur Mandal Ranga Reddy District.

4 Two CCs to the G.P for Revenue, High Court of A.P.,

Hyderabad(O.U.T).

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